

MEMO ENDORSED

UNITED STATES DISTRICT COURT
for the
UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK
19 Cr. 410 (KPF)

United States of America,

v.

Case No. 19Cr. 410 (KPF)

Default of Judgment

Clifford Taylor,

Defendant.

Comes Now, Clifford Taylor, pro-se) filed a notice of Default of Judgment. ² Movant filed the Default of Judgment in a timely manner. The Government failure to response to Order on April 28, 2023, Place the government in Default of Judgment. The Clerk must enter the party's default. The Court must establish the truth of any allegation by evidence; or Investigate the matter. The Court has authority to set-aside any Judgment Order for good cause, and may set-aside a final default Judgment. ³ Movant states: A default Judgment may be entered against the United States, its officers, or its agencies the movant has establishes a right for relief by evidence presented by the Court.

This motion is based on this document stated above. Service of these papers, on all of the papers and records already on file in this action, and on whatever evidence and argument may be allowed at any hearing on this motion.

In this current situation the Government had the Culpability in filing a response to this motion. The evidence in this above motion was insufficient to charge the movant with a crime. Movant moves this Honorable Court to grant the motion Default of Judgment, and set for hearing and absent the warrant, because its void on its face. The government cannot overcome the facts inside of this case. ² The warrant is void. In accordance with 28 U.S.C. § 1746 (1) Clifford Taylor, certify under Penalty of Perjury under the laws of the United States of America, this motion is true and correct and not misleading the facts of these proceedings has been met these documents and the Default of Judgment has been filed in a timely fashion and manner.

April 11-2023.

/s/ Clifford Taylor
Clifford Taylor

Affidavit of
Clifford Taylor

- (1) My name is Clifford Taylor, I'am over 18 years of age. I reside at FCI Fort Dix, P.O.Box 2000, Joint Base MDL,NJ 08640. I am fully competent to make this [A]ffidavit and I have personal knowledge of the facts stated in this [A]ffidavit. To my knowledge all of the facts stated in this [A]ffidavit are true and correct.

/s/ Clifford Taylor
Clifford Taylor Pro-se

Conclusion

After careful review of the record Movant has briefed all arguable issues, and the movant requests that the Court conduct an independent review of the record and determine whether the Court committed plain-error and requests the Court to correct errors that have been overlooked.

A copy of this motion is being served upon the Court.

Respectfully Submitted,

/s/ Clifford Taylor
Pro-se Affiant Clifford Taylor

With Clean hands and Without Prejudice [G]rant the motion Without [A]ny [D]elays.

/s/ Clifford Taylor
Clifford Taylor
11-379-5079

On May 17, 2023, the Court construed Mr. Taylor's "Notice of Default by Government" as a motion for a default judgment and denied such motion because the Government timely filed its opposition to Mr. Taylor's Section 2255 petition. (Dkt. #203). The Court is now in receipt of the above letter from Mr. Taylor, which is titled "Default of Judgment" and which seeks substantially the same relief as his prior default-related filing. Mr. Taylor's request is DENIED for same reason.

In response to Mr. Taylor's first default filing, the Court ordered the Government to serve a copy of its opposition and the authorities cited therein on Mr. Taylor or or before **May 23, 2023**, and extended Mr. Taylor's deadline to file a reply brief in further support of his Section 2255 petition through **June 30, 2023**. (Dkt. #203). The parties are reminded of those upcoming deadlines.

The Clerk of Court is directed to terminate the motion at docket entry 204 and to mail a copy of this endorsement to Mr. Taylor's address of record.

Dated: May 22, 2023
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE